



City of Seattle

Department of Planning and Development

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND RECOMMENDATION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3001064

Applicant Name: David Sachs, VIA Architecture for Aegis

Address of Proposal: 2200 East Madison Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow one, 6-story building containing 102 assisted living units and 1,445 sq. ft. of retail space. Parking for 37 vehicles to be provided below grade. Project includes 10,000 cu. yds. of grading. Existing structure to be demolished.

The following Master Use Permit components are required:

Design Review – Seattle Municipal Code Section 23.41 with Development Standard Departures:

1. Loading Berth Height (SMC 23.54.035.C)
2. Street Level Uses (SMC 23.47A.005.D)
3. Driveway Width (SMC 23.54.030.C1e)

SEPA Environmental Review - Seattle Municipal Code Section 25.05

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading, or demolition,
or involving another agency with jurisdiction.

SITE AND VICINITY

The site is zoned NC3-65 and LR3 and is approximately 25,450 sq. ft. The site consists of a triangular parcel zoned NC3P-65 immediately north of Madison and a LR3 multifamily parcel along 22nd Avenue immediately north of the triangular portion. The site is bound to the west by 22nd Avenue East and to the south and east by East Madison Street. There is no alley located on or adjacent to the site.

The site is currently contains one structure; the smaller LR3 parcel includes a two-story duplex, wood-framed house to be demolished. Three existing English Elm trees are located in the northwestern portion of the site and have been identified as exceptional trees. The applicant provided arborist reports identifying the exceptional trees.



The surrounding development is a combination of single and multifamily residential structures to the north. Grocery and church uses across Madison to the south with multifamily and single family beyond.

The development site is located on the north side of East Madison Street between 22nd Avenue and 23rd Avenue. The site slopes gently down five feet from the northwest corner about three quarters of the site area towards the southeast. The final quarter of the site, near the intersection of Madison and 23rd slopes more steeply down an additional ten feet for a total grade differential of about fifteen feet.

PROJECT DESCRIPTION

The proposal includes demolition of the existing building and the construction of a new six-story building. The new structure would include 102 assisted living units and 1,445 sq. ft. of retail space. Parking for 37 vehicles to be provided below grade. Access to the site is proposed from 22nd Avenue East Street.

PUBLIC COMMENTS

Approximately 12 members of the public attended the Early Design Guidance meeting held on January 5, 2011. The following comments were offered:

- Objected to the size of the proposed building.
- Supportive of the proposed neighbor as a positive contribution to the neighborhood. Like the formal arrangement of the 22nd Avenue façade and would encourage the design to be simple. The pedestrian areas along 22nd Avenue should be better emphasized at ground level with landscaping, art, swales, etc. The corner use should open to the public and see to engage the public at this important location.
- Support the broken massing along Madison. Believe the L3 zone lot is an important buffer to the lower density zone to the north. Encourage breaking up the flatness of the 22nd Avenue with bay windows. If a pedestrian pass-through route is pursued, it should be done safely with a well-lit pathway. The landscaping along the right-of-way should allow for usable spaces, not just purely ornamental.

- The corner at 23rd Avenue and Madison should be a pedestrian friendly experience with transparency at the ground level. The main entry along Madison should be more evident.
- Concerned that the trees located on the L3 zoned lot are unhealthy and should not preclude development. Like the open space concept for this lot and encouraged sharing this space with the First Place day care program next door. The trees should be replaced.
- This site is an important gateway location and future development should convey the uniqueness of the neighborhood.

Approximately six members of the public attended the Second EDG meeting held on February 16, 2011. The following comments were offered:

- Noted that greater, more effective street lighting is needed at night, especially for ground level public spaces.
- Appreciated the more sensitive design along 22nd Avenue that responds to the quieter nature of the residential neighborhood and the more commercial design along Madison – both of which reflect the appropriate character and context of that façade.
- Concerned with the driveway traffic from the proposed development across from an existing driveway and would like to see landscaping included to soften the views of the drive area.
- Believed that the vehicular driveway entry plaza should be further studied to ensure that it can accommodate the largest truck maneuvering that is likely to occur without having to back on to 22nd Avenue. The intersection of the Madison façade and the 22nd Avenue façade is too abrupt and incongruous. The design of this joint needs further study and the two facades should be better stitched together. The increased width of the sidewalk along Madison should be consistently wide and enhance clear sight lines.
- Pleased with the design improvements, but the Madison entry is weak and should be more prominent and integrated into the recessed space.
- Suggested that the Madison entry will be less utilized by residents and guests and therefore should be de-emphasized.
- Noted that the Madison entry should be more prominent and announce the building to the public. Unhappy with the loss of the existing trees on the site; would like to see Elm street trees planted along 22nd. The corner café should be well buffered from the noisy, fast moving traffic of Madison; effort to create a more comfortable and calm space is critical. Support the canopy effect over the café seating to create a protected area. The façade treatment provides a nice rhythm to the building and the bay treatment along the north façade is positive.
- Noted that a traffic study should include all pipeline projects in the area.
- Preferred a color palettes that is not grey tones; color scheme should have vitality.
- Advocated for a three-dimensional gateway quality at the corner rather than a flat experience.

The applicant applied for a Master Use Permit on May 31, 2011. Notice of Application was published on June 23, 2011 and a 14-day comment period ended on July 6, 2011. Several comments were received by DPD during this period.

- Request to be a Party of Record.
- Would like the trees on site to be preserved.
- Concerned that the new development is too large and will have negative impacts on the neighborhood.

Approximately five members of the public attended the Final Recommendation meeting on September 21, 2011. The following comments were offered:

- The Juliette balconies are not likely to be used by residents. The three cornice lines are too many and should be simplified to create more of a hierarchy of cornice line design. The material stops too abruptly at the memory care courtyard. The bay window portion of the building and the brick clad portion of the building don't seem resolved.
- Support the landscaping at the base of the vertical bays along 22nd Avenue. Concerned that the multiple cornices cheapens the effect of the gradation and a hierarchy is needed. Operable windows are preferred and windows should not have the false divided lights.
- The symmetry of the right side of the Madison elevation is challenged with the material application and should be reconsidered.

ANALYSIS - DESIGN REVIEW

Design Guidance

Three alternative design schemes were presented at the Early Design Guidance meeting. Options B and C included the removal and replacement of these trees.

The first scheme (Option A) showed, as a required alternative, the preservation of exceptional trees located along the boundary of the L3 and NC3P-65 portions of the site. The mass of the building was concentrated along Madison, intended to preserve the three trees. A curb cut just southwest of the intersection of 23rd and Madison provided access to the below grade parking garage. A drop-off and loading zone was provided at the corner of 22nd and Madison.

The second scheme (Option B) concentrated the massing of the building along Madison creating a "V"-shaped building mass. Access to below grade parking, however, was relocated to the north end of the site along 22nd, and was combined with the resident drop-off zone to provide on-site maneuvering and loading and unloading for trucks. A podium courtyard for Memory Care residents was provided over this resident drop-off zone.

The third and applicant preferred scheme (Option C) utilizes an "L" shape organizing parti, which opened up to Madison in the form of a memory garden terrace. It provides a similar access scheme for drop-off, parking, and loading/unloading as Option 2. Its' layout, however, provided a more ample footprint for development, and a more dynamic massing along the Madison frontage.

At the Second Early Design Guidance meeting, the revised design concept included a consolidated access area, an expanded open space at the gateway corner, an L-shaped tower and a design parti that responds to the lower scaled neighborhood context. Additionally, activation of the eastern corner with a staff break room instead of a blank wall was proposed. Building materials from the street facing facades

were shown wrapping around to the northern façade. The pedestrian entry along Madison was further elaborated as well.

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance. The Board identified the Citywide Design Guidelines of highest priority for this project. The citywide guidelines are summarized below. For the full text, please visit the [Design Review website](#).

The Design Recommendation presentation included a design more fully evolved since the previous meeting and included detailed elevation, landscaping plans, as well as a material, color and lighting plan. The most notable changes addressed the treatment of the corner, the Madison entryway, the application of exterior materials, the ground level design along Madison, the landscape design and the details of design and operation of the *porte cochere* area and function off of 22nd Avenue.

Site Planning

A-1 Responding to Site Characteristics. The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

At the Early Design Guidance Meeting, the Board all agreed that the shape of the site presents a dramatic and prominent corner at the southwest corner.

At the Second Early Design Guidance Meeting, the Board noted that the proposed café use at the gateway corner is desirable. The Board stressed that this corner open space feel safe and three-dimensional to the desired users.

At the Final Recommendation Meeting, the Board was satisfied that the proposed design responded to the guidance with addressing the flatiron corner as a wide chamfered corner with wraps the material treatment from Madison to the first three window bays along 22nd Ave. The corresponding landscape plan uses a hardscape design paving pattern to reinforce the corner design and usability of the retail space to spill out into the right-of-way. The hardscape plan then transitions to landscaping and dense vegetation including street trees, ground cover and shrubs both in the planting strips and against the building.

A-3 Entrances Visible from the Street. Entries should be clearly identifiable and visible from the street.

At the Early Design Guidance Meeting, the Board noted that the entrance to the assisted living facility should have a presence along Madison that is gracious, welcoming and well-marked.

At the Second Early Design Guidance Meeting, the Board agreed that the Madison entry should be further examined to create more of a presence and even strive to become more of a ‘beacon’ element along the lengthy street front. The design of this entrance should be a grander gesture with a more expansive space or have a more prominent architectural feature to draw pedestrians

along the sidewalk and break up the long façade. The Board noted that due to the long stretch of building along this block face, this entry is the only point of penetration and physical interaction with the proposed development. As such, this entry should strive to be active and apparent.

At the Final Recommendation Meeting, the Board was satisfied that the proposed design responded to the guidance. See D-12.

A-4 Human Activity. New development should be sited and designed to encourage human activity on the street.

At the Early Design Guidance Meeting, the Board was very supportive of the widened sidewalk width along Madison. The Board also agreed that the proposed planting strip with vegetation will provide a needed visual and physical buffer between the pedestrians on the sidewalk and the street.

At the Second Early Design Guidance Meeting, the Board discussed a desire for more overhead weather protection along Madison that offers protection to pedestrians, in addition to the increased width and landscaping in the right-of-way, and create a less exposed space along this busy arterial. The overhead protection should wrap around onto 22nd Avenue as well. The Board also recommends consistent sidewalk width along Madison to keep the vantage point open as viewed down the street.

At the Final Recommendation Meeting, the Board was pleased with the added overhead coverage along Madison Street that wraps around to 22nd Avenue for a portion of that façade. A consistent sidewalk width along Madison has been maintained, however, it is narrower than presented earlier due to the projecting window bays and intervening landscaping. The Board liked the articulation provided by these bays. The Board was pleased that additional glazing with longer windows has been added at the dining hall level facing the Madison sidewalk.

A-5 Respect for Adjacent Sites. Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.

At the Early Design Guidance Meeting, the Board noted that the L3 zoned lot creates an important buffer to the lower density zone to the north. The Board would like to see the building design strive to incorporate some of the historical character of the neighborhood.

At the Second Early Design Guidance Meeting, the Board appreciated the initial concept of incorporating details from the musical history of this neighborhood into the gateway corner location.

At the Final Recommendation Meeting, the Board appreciated the corner treatment that includes textured concrete with a brass circular inlays around a 45-record center piece in response to the culturally history of the site.

A-7 Residential Open Space. Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

At the Early Design Guidance Meeting, the Board agreed that Option C with its space plan located at the second floor, is superior to the other alternatives because its' south facing facade will have better solar exposure.

At the Second Early Design Guidance Meeting, the proposed second floor continued to be south facing as part of the memory care garden with the L-shaped building surrounding this open space.

At the Final Recommendation Meeting, the Board was satisfied that the proposed design responded to the guidance.

A-8 Parking and Vehicle Access. Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties, and pedestrian safety.

At the Early Design Guidance Meeting, the Board discussed at length the proposed location of the vehicle access and loading and drop off area clustered along the 22nd Avenue frontage. The Board was concerned that all of the back of house functions and curb cuts created a vehicle dominated and harsh pedestrian environment that lacks contribution to an active streetscape. The Board strongly recommended consolidation of these multiple drive lanes and garage openings to create a design that defers to the pedestrian and creates a more vibrant ground level. The Board observed that the proposed circulation was creating a large hole in the streetscape and a large gap between the gateway corner and the Lowrise zone to the north. The Board also stressed that the ground level should be integrated into the overall façade composition to present a cohesive design.

At the Second Early Design Guidance Meeting, the Board was very pleased with the consolidation of the access driveways into a singular access point and the creation of a service circle. The Board would like to see continued examination of the navigability of the circular drive, including queuing, maneuvering, and ability to accommodate vehicles of larger sizes and proportions. The Board is also interested in reviewing more information regarding the warning system that will allow a single lane driveway into the parking garage.

At the Final Recommendation Meeting, the Board was satisfied with the light signal method for traffic controls that will be located within the garage and at the tip of the driveway.

A-10 Corner Lots. Building on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

At the Early Design Guidance Meeting, the Board clearly acknowledged the prominent corner at 22nd Avenue and Madison as a gateway, but also emphasized the corner as 23rd Avenue and Madison as well. The Board agreed that the ground level at these corners should be hardscaped rather than landscaped. The Board noted that the base of the 23rd Avenue and Madison corner need to be resolved and that having a blank wall at this sidewalk level is not desirable.

At the Second Early Design Guidance Meeting, the Board agreed that locating the staff break room at the easternmost corner was a positive move to help enliven this end of the building and avoid the blank wall between the sidewalk and garage previously shown.

The Board was very supportive of the decision to locate more open space at the gateway corner rather than along the northern edge of the site. The Board encouraged development of a three-dimensional quality to the gateway corner that would include physical, aural and visual buffers

to the seating area, such as lighting, artwork, seat walls and water features. The Board encouraged developing several alternatives for this corner design, all of which seek to encourage its usability and success of the retail corner, as well as create a beacon that draws pedestrian down the sidewalk.

At the Final Recommendation Meeting, the Board was satisfied that the proposed design responded to the guidance with the whimsical feature and circles inlaid in the sidewalk, the textured sidewalk, and emphasis on the corner retail entry. This is a critical element of the proposed design. The Board was also pleased with the architectural resolution of the brick material and dark crown fiber cement panel wrapping the corner from Madison to 22nd Avenue, rather than the abrupt edge shown in a previous iteration. The wider chamfering treatment of this corner also helps to address the transition between the two elevations, in addition to the material changes.

B. Height, Bulk and Scale

- B-1 Height, Bulk, and Scale Compatibility. Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between anticipated development potential of the adjacent zones.**

At the Early Design Guidance Meeting, the Board agreed that the 22nd Avenue facade design should acknowledge the lower zone height across the street. The massing of the preferred alternative (option C) addresses the Madison length the best and situated the upper level open space along Madison, effectively breaking down the massing of the upper levels along this street.

At the Second Early Design Guidance Meeting, the Board continued to agree that the proposed massing proportion best suits the site conditions. The Board agreed that the 22nd Avenue façade design concept responded to the lower zone across the street with the use of the projecting bays and color distribution. The Board was pleased with the efforts to break down the Madison façade into 50-60 foot wide modules.

At the Final Recommendation Meeting, the Board was pleased with the vertical projecting bays along 22nd Avenue.

C. Architectural Elements and Materials

- C-2 Architectural Concept and Consistency. Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.**

At the Early Design Guidance Meeting, the Board concluded that all sides of the building, including the north façade, should be thoughtfully designed to respond to the particular conditions of that specific façade. The Board noted that the party-wall of the northeast façade should be carefully considered as it is viewed from the abutting Lowrise zone.

The Board felt that the pedestrian street language of 22nd Avenue should wrap around to the northwest façade. The Board stressed that the design of this façade should be simple and avoid being overly busy. A few images on the packets particularly interested the Board members, including the photograph in the upper left corner of page 25 depicting a brick façade with large fenestration and instead of projecting decks; the decks recede from the facade wall. The Board also noted the bottom left image on page 24 which shows a stepping back and diminishing quality of the upper levels – which the recommended in response to the lower zone across 22nd Avenue. The packet is available [here](#).

At the Second Early Design Guidance Meeting, the Board discussed at length the point of intersection where the 22nd Avenue façade meets the Madison façade. Both facades have appropriately and successfully responded to the scale and character of these differing streets; however the joining of these facades creates a design challenge. The design of this juncture will be highly visible at this prominent gateway corner and needs to be addressed from the top all the way to the sidewalk. The overhead weather protection canopies need to respond to changed planes in an elegant manner, as do the proportions and design of these facades. The Board agreed that the treatment of the building top/cornice should be consistent. The Board also pointed out that a similar condition exists at the eastern corner as well and that these two corners need to appear as a related part of a larger cohesive structure.

At the Final Recommendation Meeting, the Board discussed at length the treatment of the cornices and ultimately agreed that the three steps of cornice lines is overly fussy and should be simplified. There should be only one building top cornice line and one lower cornice with a simplified, deferential design.

C-4 Exterior Finish Materials. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

At the EDG meetings, the Board noted that they will look forward to reviewing the material palette at the Recommendation phase.

At the Final Recommendation Meeting, the material and color palette included brick masonry for the first four stories above an exposed sandy colored concrete kick-plate base along the Madison elevation. The recessed portions of the elevation that surround the memory care garden are a light cream/white colored fiber cement board panel. This materials and color extend to the sixth floor, while the intervening fifth floor is a dark brown colored fiber cement panel. Stone masonry in the same cream color is used for the Madison entrance way. Hardwood slats are proposed at the base of the raised planters along Madison and the trellis and screening of the concrete columns of the *porte cochere* projection off of 22nd Avenue. The Board was pleased with these proposed materials and colors.

The Board was concerned that the fiber cement panel used on the vertical projecting bays along 22nd Avenue be of a high quality, integral color (hardi-plank would not be an acceptable material) to withstand being located at the ground level. The Board also noted that the 22nd Ave elevation needs to be better grounded with a darker color treatment, material change or other element in conjunction with the ground level landscaping to provide a transition to the ground.

The Board also recommended exposed fasteners on the fiber cement to provide texture. The Board also agreed that the elevations of the memory care garden need further visual interest with deeper sills and punched window openings to give more shadow lines. The same high quality fiber cement panel should be used on these elevations as well.

C-5 Structured Parking Entrances. The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.

See A-8. The Board expressed support for departures from the loading berth size and driveway width if such reductions would result in a vibrant and attractive pedestrian streetscape along 22nd Avenue. The Board expressed support a decrease from the quantity of loading berths, if such an option is available through the Land Use Code.

At the Final Recommendation Meeting, the Board reiterated the exceptional improvements in driveway and vehicular design from the EDG.

D. Pedestrian Environment

D-1 Pedestrian Open Spaces and Entrances. Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

At the Early Design Guidance Meeting, the Board expressed interest in the sidewalk areas along Madison and 22nd Avenue, the L3 parcel and the possibility of a pedestrian pass-through along the north side of the site. All of these open spaces are important with unique considerations. Overhead weather protection, landscaping, lighting and safety are important and desirable features.

At the Second Early Design Guidance Meeting, the Board agreed that these continue to be important features to be considered and designed as the project design evolves. See A-10.

At the Final Recommendation Meeting, the Board discussed this guidance at length – see A-3 and D-12.

D-2 Blank Walls. Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable they should receive design treatment to increase pedestrian comfort and interest.

At the Early Design Guidance Meeting, the Board reiterated several concerns regarding the multiple driveways along 22nd Avenue and the resultant gap in a pedestrian friendly streetscape that effectively becomes a blank wall. See A-8 for more discussion.

At the Second Early Design Guidance Meeting, the driveways along 22nd Avenue were reduced to a single drive. Also, the blank portion of the building at the eastern tip has been addressed with a staff break room which will include windows facing the sidewalk.

At the Final Recommendation Meeting, the Board was satisfied that the proposed design responded to the guidance with the staff break room, fenestration and green wall.

- D-6 Screening of Dumpsters, Utilities, and Service Areas. Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.**

See A-8.

At the Final Recommendation Meeting, the Board noted that all of the service functions were located and screened within the building and therefore agreed this guidance was satisfied.

- D-7 Personal Safety and Security. Project design should consider opportunities for enhancing personal safety and security in the environment under review.**

At the Early Design Guidance Meeting, the Board noted that if the pass-through path is created, then great attention should be given to safety and security along this path with lighting. See also Board's comments regarding the interface of pedestrians and vehicles along the 22nd Avenue frontage.

See also E-3.

At the Second EDG, the pass-through path concept was eliminated. See A-8 regarding safety of the vehicle maneuvering.

At the Final Recommendation Meeting, the Board did not comment on this feature. The Board was pleased with the exterior lighting plan that illuminates the sidewalk level, entries, and access drives and vehicle circulation, as well as accent lighting the landscaping for security. The driveway to the below grade garage includes a red/green stop light to control traffic flow from entering the single lane drive aisle.

- D-11 Commercial Transparency. Commercial storefronts should be transparent, allowing for a direct visual connection between pedestrians on the sidewalk and the activities occurring on the interior of a building. Blank walls should be avoided.**

At the Early Design Guidance Meeting, the Board discussed the Madison Street frontage and the ability of the proposed building program to enhance the activity and interaction between the interior spaces and the streetscape. The Board strongly agreed that a long, blank wall would be unacceptable and efforts should focus on engaging the street rather than turning away from the street. The Board was very pleased with the proposed widening of the sidewalk and agreed that tapering down the width is less desirable.

See A-3 and A-4.

At the Final Recommendation Meeting, the Board agreed that the proposed design has sufficiently designed the elevation and ground level programmatic uses to engage and activate the ground level along Madison given the challenge of the grade change. The design and programmatic uses proposed along 22nd Avenue also encourage activation of the street level. The corner retail use is critical and well-located to activate the most visible corner.

- D-12 Residential Entries and Transitions.** For residential projects in commercial zones, the space between the residential entry and the sidewalk should provide security and privacy for residents and a visually interesting street front for pedestrians. Residential buildings should enhance the character of the streetscape with small gardens, stoops and other elements that work to create a transition between the public sidewalk and private entry.

At the Early Design Guidance Meeting, the Board agreed that a prominent and gracious entryway along Madison is important to identify the building and break up the long street length. See A-3.

At the Final Recommendation Meeting, the Board was pleased with the re-designed residential entry on Madison which includes a unique canopy design of increased depth, a change in building materials around the entryway and wraps into the recessed entrance with a light cream colored sandstone to contrast with the brick masonry. The residential entrance off the *porte cochere* has also been enhanced with landscaping, overhead weather protection with a 60-foot wide building projection spanning the entrance clad in wood panel, vegetated trellis, landscaping, decorative paving and a water feature.

E. Landscaping

- E-3 Landscape Design to Address Special Site Conditions.** The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.

At the Early Design Guidance Meeting, the Board agreed that enhancing the planting strip along Madison and widening the sidewalk along this busy arterial are both critical moves to enhance the pedestrian experience at this gateway location. The Board also supported the concept of extensive vegetation and swales in the already wider 22nd Avenue right-of-way. The third special site condition pertains to the portion of the site that lies within the L3 zone and is proposed to be left undeveloped and landscaped either as an amenity to the future tenants of the building or a pocket park. The Board adamantly stated that whichever option is selected, that the access to the open space from the proposed building needs to be resolved and the security and safety of this open space must be considered.

At the Second Early Design Guidance Meeting, the Board continued to support the widened sidewalks and landscaped planting strips. The revised plan for the service circle entrance that is partially located in the Lowrise zone has made the discussion of an open space on this portion of the lot inapplicable.

At the Final Recommendation Meeting, the Board was satisfied that the proposed design responded to the guidance by providing extensive landscaping along the north side of the site screening the proposed development from the existing residential neighborhood to the north. The right-of-way landscaping along both 22nd Ave and Madison is also densely vegetated to relate to the residential community to the north and northwest, screen the *porte cochere* area and to provide a buffer from the traffic of Madison. Landscaping has also been used to screen the section of blank wall along Madison due to the grade change with the provision of a vegetated wall. Raised planted boxes between the projecting window bays on Madison also serve to soften this elevation, but also to provide visual interest.

EXCEPTIONAL TREES – DISCUSSION

A special site condition is the presence of three identified exceptional trees currently located on this site. The information presented to the Board describes the trees as having an extensive roots system that would prohibit the excavation areas needed for construction. Page 29 of the EDG packet shows that the preservation of the trees would result in a reduced development potential of the site to 74%. The Board's concern with the scheme that would preserve the trees is that all of the access would be forced closer to the corners of Madison and 22nd and 23rd, both of which create a significant impact to an already challenged pedestrian streetscape. Furthermore, both of these prominent corners are gateway opportunities for the Miller Park and Madison Valley neighborhoods and locating vehicular access at these corners would be a detriment to the architecture and pedestrian environment. The proposed open space for the resultant building would be shifted to the north side with less solar exposure and increased shadow from the building. For these reasons, the Board unanimously agreed that this scheme would be contrary to Design Guidelines A-8, A-10 and C-5 and the proposed site plan that eliminates the trees is a far superior option. Thus, the Board supported the removal of the trees and the required replacement of the trees in appropriate locations.

DEVELOPMENT STANDARD DEPARTURES

Three departures from the development standards were proposed at this phase.

1. **Loading Berth Height (SMC 23.54.035.C):** The Code requires a loading berth height of 14 feet. The applicant proposes a loading berth height of 13 feet.

The Board voted unanimously in support of the departure since the reduced height would not adversely affect the loading needs of the future tenant and would result in minimization of the loading area's presence along 22nd Avenue. (A-8, C-5, D-7, D-12, E-3)

2. **Street Level Uses (SMC 23.47A.005.D):** The Code requires that in a pedestrian zone, residential uses may not exceed 20% of street level, street facing façade. The applicant proposes that the majority of the street level, street facing facade will be residential.

The Board voted unanimously in favor of this departure given that the street front along Madison has been designed to be active and engaging with visual interest of the projecting window bays, green wall, significant transparency, a residential entrance that is more prominent and welcoming and a well-landscaped planting strip to buffer and enhance the pedestrian experience. (A-4, D-1, D-2, D-11, E-3)

3. **Driveway Width (SMC 23.54.030.C1e):** The Code requires a driveway width of 20 feet for two-way traffic. The applicant proposes a 14-foot wide one-way driveway.

The Board voted unanimously in support of the departure request and agreed that the proposed car court resolution and warning system that would work to alert cars exiting the garage and cars entering the driveway at the same time and accommodate the necessary queuing was well-designed and would enhance the site. (A-8, C-5, D-7, D-12, E-3) *See also discussion under the SEPA traffic portion of this document.*

The design review process prescribed in Section 23.41.014.F of the Seattle Municipal Code describing the content of the DPD Director's decision reads in part as follows:

The Director's decision shall consider the recommendation of the Design Review Board, provided that, if four (4) members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision which incorporates the full substance of the recommendation of the Design Review Board, unless the Director concludes the Design Review Board:

- a. Reflects inconsistent application of the design review guidelines; or*
- b. Exceeds the authority of the Design Review Board; or*
- c. Conflicts with SEPA conditions or other regulatory requirements applicable to the site;
or*
- d. Conflicts with the requirements of state or federal law.*

Subject to these proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines:

1. The cornice design should include only one building top cornice line and one lower cornice with a simplified, deferential design. (C-3)
2. The fiber cement panel used on the vertical projecting bays along 22nd Avenue should be of a high quality, integral color. This same material should be used for the elevations surrounding the memory garden. Exposed fasteners are also recommended. (C-4)
3. The 22nd Ave elevation needs to be better grounded with a darker color treatment, material change or other element in conjunction with the ground level landscaping to provide a transition to the ground. (C-4)
4. The elevations of the memory care garden need further visual interest with deeper sills and punched window openings to give more shadow lines. (C-4)

ANALYSIS & DECISION – DESIGN REVIEW

Director's Analysis

Four members of the East Design Review Board were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F3). The Director agrees with and accepts the conditions recommended by the Board that further augment the selected Guidelines.

Following the Recommendation meeting, DPD staff worked with the applicant to update the submitted plans to include the recommendations of the Design Review Board. The Director agrees with the Design Review Board's conclusion that the proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by

the Board. The Director is satisfied that all of the recommendations imposed by the Design Review Board have been met.

Director's Decision

The design review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the four members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Design Review Board agreed that the proposed design, along with the conditions listed, meets each of the Design Guideline Priorities as previously identified. Therefore, the Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design and the requested departure with the conditions summarized above and at the end of this Decision.

ANALYSIS – SEPA

The proposal is for 1,445 square feet of commercial space and 102 residential units, thus the application is not exempt from SEPA review. Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05) because the proposed project is located in a commercial zone and an urban center and exceeds the unit threshold.

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated May 27, 2011 and annotated by the Land Use Planner. The information in the checklist, pertinent public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Department of Planning and Development has analyzed the environmental checklist and submitted by the project applicant and reviewed the project plans and any additional information in the file. As indicated in this analysis, this action will result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, *"Where City regulations have been adopted to address and environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation"* subject to some limitations. Short-term adverse impacts are anticipated from the proposal. No adverse long-term impacts on the environmentally critical area are anticipated.

Short-Term Impacts

The following temporary or construction-related impacts are expected; decreased air quality due to suspended particulates from demolition and building activities and hydrocarbon emissions from

construction vehicles and equipment; increased traffic and demand for parking from construction equipment and personnel; increased noise; and consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City.

The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allow the reviewing agency to mitigate impacts associated with construction activities. Most short-term impacts are expected to be minor. Compliance with the above applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment. However, impacts associated with air quality, noise, and construction traffic warrant further discussion.

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from construction activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction materials hauling, equipment and personnel; increased noise; and consumption of renewable and non-renewable resources. Several adopted codes and/or ordinances provide mitigation for some of the identified impacts:

- The applicant estimates approximately 10,000 cubic yards of excavation for construction. Excess material to be disposed of must be deposited in an approved site.
- The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction.
- The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way.
- Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general.
- Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the city.

Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. However, given the amount of building activity to be undertaken in association with the proposed project, additional analysis of drainage, grading, noise, greenhouse gases, and traffic impacts is warranted.

Drainage

Soil disturbing activities during site excavation for foundation purposes could result in erosion and transport of sediment. The Stormwater, Grading and Drainage Control Code provides for extensive review and conditioning of the project prior to issuance of building permits. Therefore, no further conditioning is warranted pursuant to SEPA policies.

Earth - Grading

The construction plans will be reviewed by DPD. Any additional information showing conformance with applicable ordinances and codes will be required prior to issuance of building permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material. The current proposal involves excavation of approximately 10,000 cubic yards of material. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Traffic, Circulation and Parking

Construction activities are expected to affect the surrounding area. Impacts to traffic and roads are expected from truck trips during excavation and construction activities. The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allows the reviewing agency to mitigate impacts associated with transportation during construction. The construction activities will require the removal of material from site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations.

During construction, existing City code (SMC 11.62) requires truck activities to use arterial streets to the greatest extent possible. This immediate area is subject to traffic congestion during the PM peak hour, and large construction trucks would further exacerbate the flow of traffic. Pursuant to SMC 25.05.675(B) (Construction Impacts Policy) and SMC 25.05.675(R) (Traffic and Transportation), additional mitigation is warranted.

For the removal and disposal of the spoil materials, the Code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of “freeboard” (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed en route to or from a site.

For the duration of the construction activity, the applicant/responsible party shall cause construction truck trips to cease during the hours between 4:00 p.m. and 6:00 p.m. on weekdays. This condition will assure that construction truck trips do not interfere with daily PM peak traffic in the vicinity. As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of existing City Code (SMC 11.62).

On-street parking in the neighborhood is limited, and the demand for parking by construction workers during construction could exacerbate the demand for on-street parking and result in an adverse impact on surrounding properties. The owner and/or responsible party shall assure that construction vehicles

and equipment are parked on the subject site or on a dedicated site within 800 feet for the term of the construction whenever possible.

To facilitate these efforts, a Construction Management Plan will be required as a condition of approval identifying construction worker parking and construction materials staging areas; truck access routes to and from the site for excavation and construction phases; and sidewalk and street closures with neighborhood notice and posting procedures.

The Street Use Ordinance requires sweeping or watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way. This ordinance provides adequate mitigation for these construction transportation impacts; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Noise

All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restrictions may be authorized upon approval of a Construction Noise Management Plan to address mitigation of noise impacts resulting from all construction activities. The Plan shall include a discussion on management of construction related noise, efforts to mitigate noise impacts and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise. Elements of noise mitigation may be incorporated into any Construction Management Plans required to mitigate any short-term transportation impacts that result from the project.

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Long-Term Impacts

Traffic and Transportation

A Traffic Assessment for the proposed project was prepared by the Transpo Group, dated July 7, 2011. The report estimates the total amount of new trips to be generated by this project. According to the memo, the proposed development will increase the AM peak hour trips to the site by 73 trips and add 27 PM peak hour trips. However, the urban location of the site, easy access to public transportation and proximity to other coffee shops strongly suggest that the actual increase in daily trips may be much

lower than the figures estimated in the study. No significant impacts are anticipated, and no mitigation is necessary.

In order to help assure safe pedestrian crossings and adequate sight distance at the driveway, the project shall be conditioned such that vegetation on either side of the driveway entry shall be low (below 24 inches) so that it does not obstruct the drivers view. The project shall also be conditioned to provide details for a driver and pedestrian warning system that includes mirrors or other warning devices at the exit from the garage.

Parking

The proposed development includes 37 parking spaces to be provided below grade and accessed from a driveway via 22nd Avenue East. Parking generation rates associated with assisted living facilities and coffee shops from the Institute of Transportation Engineers (ITE) Parking Generation Manual (4th Edition) were used to estimate the project's parking demand.

According to ITE, the project would generate a peak parking demand of 50 vehicles for both uses. The difference of 13 parking spaces between the estimated parking demand of 50 spaces and the 37 parking spaces being provided is unlikely to create adverse parking strain on the surrounding streets for several reasons. First, a 20% reduction for alternative mode use was assumed for the assisted living use and 10% reduction was used for the coffee shop. Second, consideration is given to the peak shared parking demand for the combination of these two uses at 11:00 a.m. The proposed parking supply would meet the anticipated demand for the proposed development at this peak hour. Therefore, no mitigation is necessary.

Height, Bulk & Scale

SMC 25.05.675.G.2.c states, *"The Citywide Design Guidelines (and any Council-approved, neighborhood design guidelines) are intended to mitigate the same adverse height, bulk, and scale impacts addressed in these policies. A project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk, and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. Any additional mitigation imposed by the decision maker pursuant to these height, bulk, and scale policies on projects that have undergone Design Review shall comply with design guidelines applicable to the project."*

The site includes and abuts a Lowrise zone to the northeast. The Design Review Board considered the issue of appropriate transitions, and mitigation of height, bulk, and scale impacts to the Lowrise zone. The porte cochere and driveway area for the proposed structure and landscaping along the north property line all occur within the Lowrise portion of the site; the entirety of the proposed structure is within the commercial zoned portion of the site. The Lowrise portion of the site is between 30 and 60 feet deep and is over half the width of the northeastern property line. The proposed structure on the remainder of the site that abuts the Lowrise zone is at least 25 feet from the existing multi-family structure. The upper floors of the proposed building are modulated with slight recessed areas, projecting vertical windows bays and material patterns to break up the massing. The Design Review Board unanimously recommended approval of the project design. DPD finds that any height bulk and scale impacts have been adequately mitigated by the project, and comply with the applicable design review guidelines. The proposed structure is located on a split zoned site, and the structure conforms to zoning

requirements, including height, bulk, and setbacks. No additional height, bulk, or scale SEPA mitigation is warranted pursuant to the SEPA height, bulk and scale policy.

Plants & Animals

There are several mature trees on the subject properties, as well as some exceptional trees. The exceptional trees are located in the northern portion of the site. The applicant submitted an arborist report prepared by Margaret Harrison dated November 15, 2010 that identified three exceptional trees on the site as well as the required tree protection zone for these three trees. The applicant prepared an analysis of the resultant developable area outside the tree protection zone and concluded that the site's development potential would be reduced from 93% to 74%. The proposed removal of some exceptional trees is discussed in more detail in the Design Review analysis section of this document. The Board concluded that the removal of the trees would result in a development which better meets the design guidelines. DPD has reviewed the development standards applicable to this project to determine if there are any departures that could be granted that would allow the applicant to avoid development in the tree protection areas. DPD finds that there are no development standard departures that, if approved, would allow the project to preserve the exceptional trees. Therefore, the removal of the exceptional trees is permitted.

Light & Glare

The checklist discusses the project's likely light and glare effects on the surrounding area. The proposed project includes downshielded outdoor lighting and landscaping that will help buffer light and glare impacts from neighboring properties. Lighting will be downshielded but will provide enough light in the evening to provide a safe environment. DPD therefore determines that light and glare impacts are not likely to be substantial and warrant no further mitigation per SMC 25.05.675.K.

Greenhouse Gas

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

DECISION – STATE ENVIRONMENTAL POLICY ACT (SEPA)

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(c).

RECOMMENDED CONDITIONS – SEPA

Prior to Issuance of any Construction, Shoring or Grading Permits

1. The applicant shall provide to the DPD Land Use Planner for approval a Construction Management Plan which identifies construction worker parking and construction materials staging areas; truck access routes to and from the site for excavation and construction phases; and sidewalk and street closures with neighborhood notice and posting procedures.
2. The landscape plan shall confirm and state that vegetation on either side of the driveway entry shall be low (below 24 inches) so that it does not obstruct the drivers view.
3. Details of a driver and pedestrian warning system, such as mirrors or other warning devices accessing the garage shall be submitted for review and approval.

During Construction

4. The hours of construction activity shall be limited to non-holiday weekdays between the hours of 7:00 a.m. and 6:00 p.m. and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays (except that grading, delivery and pouring of cement and similar noisy activities shall be prohibited on Saturdays). This condition may be modified by DPD to allow work of an emergency nature. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD.

*Construction activities outside the above-stated restriction may be authorized by DPD when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours are weekend days must be submitted to **Noise Abatement Coordinators** — David George (206) 684-7843 or Jeff Stalter (206) 615-1760 — at least **three (3) days in advance of the requested dates** in order to allow DPD to evaluate the request.*

5. For the duration of the construction activity, the applicant/responsible party shall cause construction truck trips to cease during the hours between 4:00 p.m. and 6:00 p.m. on weekdays.

DESIGN REVIEW

Prior to Building Permit Issuance

6. The cornice design should include only one building top cornice line and one lower cornice with a simplified, deferential design. (C-3)
7. The fiber cement panel used on the vertical projecting bays along 22nd Avenue should be of a high quality, integral color. This same material should be used for the elevations surrounding the memory garden. Exposed fasteners are also recommended. (C-4)

8. The 22nd Ave elevation needs to be better grounded with a darker color treatment, material change or other element in conjunction with the ground level landscaping to provide a transition to the ground. (C-4)
9. The elevations of the memory care garden need further visual interest with deeper sills and punched window openings to give more shadow lines. (C-4)

CONDITIONS-DESIGN REVIEW

Prior to Issuance of any Certificate of Occupancy

10. The applicants shall arrange for an inspection with the Land Use Planner (Lisa Rutzick 206-372-6670) to verify that the construction of the buildings with siting, materials, and architectural details is substantially the same as those documented in the approved plan.

Signature: _____ (Signature on File)
Lisa Rutzick, Senior Land Use Planner
Department of Planning and Development

Date: February 2, 2012